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10/651,583	08/29/2003	Daniel P. Topp	TOPP-P7.1-US	8842

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EXAMINER

PARSLEY, DAVID J

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3643

Abandonement

Continuation of item 7 of the notice of abandonment

The application is abandoned for the reasons set forth below:

The Appeal Brief filed on 12/10/07 is still defective for a reason set forth in the Notice of Non-Compliant Appeal Brief of 9/26/06 and the letter of 6/5/07. Appellant was informed that the brief does not contain a concise explanation of the subject matter defined in each of the independent claims (See box 4 of Notice and first paragraph of the letter of 6/5/07).

In response to the Appellant submitted the Appeal Brief of 10/5/07, which still does not present a concise explanation of the subject matter in the form required, specifically Appellant now does not cite to the **specification** by page and line number. (37 CFR 41.37(c)(1)(b)). Appellant now cites to the **pre-grant publication**; for example see page 5, lines 4-45 of the Appeal Brief of 12/10/07. Therefore, the Appeal Brief of 12/10/07 is still defective.

The letter of 6/5/07 set forth a one month time period for reply, which were extended to a full 6 months. The time period for reply has expired and the appeal is dismissed. See (37 CFR 41.37(d)).